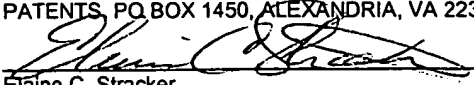


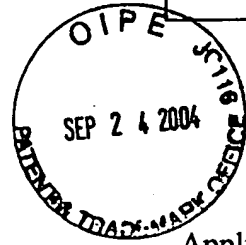
9-27-04

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Elaine C. Stracker



PATENT  
Attorney's Docket No.: 00025.04CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/766,647  
Filed: 1/27/2004  
Title DELIVERY OF ANALGESICS THROUGH AN INHALATION ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.


For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

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Respectfully submitted,

SEP. 24 2004

Date: \_\_\_\_\_

  
Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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1001 East Meadow Circle  
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PTO/SB/21 (08-03)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/766,647	
	Filing Date	1/27/2004	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00025.04CON

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C Stracker, Ph.D., J.D. Telephone (650)-687-3905 Customer Number 37485
Signature	
Date	SEP. 24 2004

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INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/05/1965	3,164,600	Janssen et al.			
	2.	03/18/1969	3,433,791	Bentley et al.			
	3.	02/02/1971	3,560,607	Hartley et al.			
	4.	05/27/1980	Re. 30,285	Babington			
	5.	01/23/1990	4,895,719	Radhakrishnun et al.			
	6.	09/17/1991	5,049,389	Radhakrishnun			
	7.	02/14/1995	5,388,574	Ingebretsen			
	8.	08/13/1996	5,544,646	Lloyd et al.			
	9.	12/09/1997	5,694,919	Rubsamen et al.			
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	11.	04/07/1998	5,735,263	Rubsamen et al.			
	12.	04/14/1998	5,738,865	Baichwal et al.			
	13.	06/02/1998	5,758,637	Ivri et al.			
	14.	06/29/1999	5,915,378	Lloyd et al.			
	15.	08/10/1999	5,934,272	Lloyd et al.			
	16.	09/28/1999	5,957,124	Lloyd et al.			
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	18.	11/30/1999	5,993,805	Sutton et al.			
	19.	03/28/2000	6,041,777	Faithfull et al.			
	20.	04/18/2000	6,051,566	Bianco			
	21.	08/01/2000	6,095,134	Sievers et al.			
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	25.	06/05/2001	6,241,969	Saidi et al.			
	26.	07/03/2001	6,255,334	Sands			
	27.	10/23/2001	6,306,431	Zhang et al.			

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Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

	28.	04/23/2002	6,376,550	Raber et al.			
	29.	01/14/2003	6,506,762	Horvath et al.			
	30.	02/04/2003	6,514,482	Bartus et al.			
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	38.	01/02/2003	US 2003/0004142	Prior et al.			
	39.	02/13/2003	US 2003/0032638	Kim et al.			

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	41.	08/04/2003	10/633,877	Hale et al.			
	42.	12/30/2003	10/749,537	Rabinowitz et al.			
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	55.	01/30/2004	10/769,051	Rabinowitz et al.			

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	56.	01/29/2004	10/769,157	Rabinowitz et al.			
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	60.	03/03/2004	10/791,915	Hale et al.			
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	66.	03/31/2004	10/813,721	Rabinowitz et al.			
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	81.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
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	84.	01/16/2003	US 2003/0012738	Rabinowitz et al.			
	85.	1/16/2003	US 2003/0012740	Rabinowitz et al.			

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Docket Number: 00025.04CON

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Group Art Unit: Not Yet Known

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87.	01/23/2003	US 2003/0015190	Rabinowitz et al.			
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Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

	116.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	117.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	118.	03/14/1990	EP 0 358 114	Europe			
	119.	02/06/2000	EP 1 177 793	Europe			
	120.	07/03/2001	EP 1 080 720	Europe			
	121.	08/29/2001	EP 0 606 486	Europe			
	122.	06/13/1991	WO 91/07947	WIPO			
	123.	04/16/1992	WO 92/05781	WIPO			
	124.	04/11/1996	WO 96/09846	WIPO			
	125.	05/09/1996	WO 96/13161	WIPO			
	126.	05/09/1996	WO 96/13290	WIPO			
	127.	05/09/1996	WO 96/13291	WIPO			
	128.	05/09/1996	WO 96/13292	WIPO			
	129.	10/03/1996	WO 96/30068	WIPO			
	130.	05/22/1997	WO 97/17948	WIPO			
	131.	08/07/1997	WO 97/27804	WIPO			
	132.	05/28/1998	WO 98/22170	WIPO			
	133.	07/23/1998	WO 98/31346	WIPO			
	134.	08/27/1998	WO 98/36651	WIPO			
	135.	04/08/1999	WO 99/16419	WIPO			
	136.	12/16/1999	WO 99/64094	WIPO			
	137.	01/06/2000	WO 00/00176	WIPO			
	138.	01/06/2000	WO 00/00215	WIPO			

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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/27/2004	Group Art Unit: Not Yet Known

	139.	05/18/2000	WO 00/27363	WIPO			
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	141.	09/17/2000	WO 00/47203	WIPO			
	142.	11/02/2000	WO 00/64940	WIPO			
	143.	11/09/2000	WO 00/66084	WIPO			
	144.	11/09/2000	WO 00/66206	WIPO			
	145.	12/07/2000	WO 00/72827	WIPO			
	146.	12/21/2000	WO 00/76673	WIPO			
	147.	01/25/2001	WO 01/05459	WIPO			
	148.	03/01/2001	WO 01/13957	WIPO			
	149.	03/15/2001	WO 01/17568	WIPO			
	150.	03/28/2002	WO 02/24158	WIPO			

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*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
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	153.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	154.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
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	156.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	157.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.

EXAMINER:	DATE CONSIDERED:
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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/27/2004	Group Art Unit: Not Yet Known

158.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
159.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior</i> . 36(1):1-7.
160.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 $\mu\text{m}$ ," <i>J. Aerosol Sci.</i> 17(5):811-822.
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164.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.
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166.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.
167.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.
168.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
169.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.
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173.	Vapotronics, Inc. (1998) located at <a href="http://www.vapotronics.com.au/banner.htm">http://www.vapotronics.com.au/banner.htm</a> , 11 pages, (visited on June 5, 2000).

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IN AN APPLICATION

(Use several sheets if necessary)

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Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

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Group Art Unit: Not Yet Known

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